



Attorney Docket No: PHO-107 DIV

RECEIVED
JAN 24 2005
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Dees et al.)
)
Serial No.: 09/382,622)
)
Filed: August 25, 1999)
)
For: High Energy Phototherapeutics)
Agents)
)
Examiner: G. Gabel)
)
)
Art Unit: 1641)

"Express Mail" Mailing Label No. EV459446403 US
Date of Deposit 11/24/04

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: Shannon Wallace
(typed or printed)

Signature Shannon Wallace

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DEC 1 - 2004

TECH CENTER 1600/2900

AMENDMENT D

In response to the Board of Patent Appeals and Interferences decision of September 30, 2004 and the Final Rejection of February 27, 2001, a RCE being submitted herewith, please amend the above-identified application as follows:

RECEIVED
2004 DEC -3 PM 2:03
BOARD OF PATENT APPEALS
AND INTERFERENCES